



Montgomery County, Maryland

## COUNTY COUNCIL AGENDA

COUNCIL HEARING ROOM, 100 MARYLAND AVENUE, ROCKVILLE, MARYLAND 20850  
240/777-7900 • TTY 240/777-7914 • FAX 240/777-7989 • [www.co.mo.md.us/council](http://www.co.mo.md.us/council)

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*This meeting will be televised live on Channel 6; repeated on 2/14/03 at 8 pm and 2/15/03 at 9 am*

**Tuesday, February 11, 2003**

(1) 9:00-10:00 **DISCUSSION** - State Legislative Program (6th floor Council Conference Room) (Wenger)

10:15 **INVOCATION** - Pastor Peter Bath, Sligo Adventist Church, Takoma Park

10:20 **PRESENTATION** - Proclamation to Courtney Kupets, World Champion Gymnast, Sophomore at Magruder High School by Councilmember Andrews

10:25 **GENERAL BUSINESS**

A. **Announcement** - Agenda and Calendar Changes (Lauer)

B. **Action** - Approval of Minutes: January 21 and January 27, 2003 (Edgar)

(2) C. **Acknowledgement** - Receipt of Petitions (McGuire)

(3) 10:30 **CONSENT CALENDAR**

A. **Introduction** - Resolution to endorse Maryland Economic Development Assistance Authority and Fund (MEDAAF) grant: \$250,000 for the Montgomery County Small business Revolving Loan Fund (Ferber)

B. **Introduction** - Resolution to endorse Maryland Economic Development Assistance Authority and Fund (MEDAAF) grant: \$2,100,000 for Montgomery County's Technology Park project (Ferber)

C. **Action** - Resolution to approve Executive/Council Memorandum of Understanding regarding County Cable Montgomery (Lacefield)  
*MFP Committee recommends approval.*

D. **Action** - Resolution to establish Arts and Entertainment District Advisory Panel (Ferber)

E. **Action** - Resolution to approve a Certain Finance Plan of the Washington Suburban Sanitary Commission for the Issuance of Refunding Bonds (Levchenko)

F. **Action** - Resolution to support state action to preserve CareFirst Blue Cross Blue Shield as a strong non-profit health insurer (Garcia)

G. **Action** - Resolution to support State Financing for Greenwood Terrace Apartments in Silver Spring (Trombka)



(3) 10:30 **CONSENT CALENDAR** (continued)

- H. **Action** - Supplemental Appropriations to the MCPS FY03 Operating Budget: (Planell)  
• \$1,950,475 for Downcounty Consortium (Source: Federal funds)  
• \$630,000 K-12 Digital Library Project Partnership (Source: State funds)  
• \$303,181 High School Science Vertically Integrated Partnerships (Private Grant)  
• \$247,001 Middle School Science Educational Research Initiative (Private Grant)  
*ED Committee recommendation will be available 2/6/03.*
- I. **Action** - Supplemental Appropriation to the County Government's FY03- Capital Budget and amendment to the FY03-08 Capital Improvements Program, Department of Public Works and Transportation - \$1,685,000 for Emergency Operations Center and Transportation Management Center Co-location at the Emergency Communications Center (G.O. Bonds, Land Sale Proceeds, Reduction in Federal Aid) (McMillan)  
*PS/MFP recommends approval with amendment.*
- J. **Action** - Confirmation of County Executive appointment to Commission on Juvenile Justice: Laurie E. Ekstrand (Ferber)
- K. **Action** - Confirmation of County Executive appointment of Chair, Taxicab Services Advisory Committee: John J. Dillon (Ferber)
- L. **Action** - Confirmation of County Executive appointments to Noise Control Advisory Board: Ryan M. Colker; Jane Stunkel; Rudolph H. Volin (Ferber)
- M. **Recognition** - Certification of 32 Montgomery County Public School Teachers by the National Board for Professional Teaching Standards, by Councilmember Nancy Floreen (Green)

10:40 **DISTRICT COUNCIL SESSION**

- (4) A. **Introduction** - Zoning Text Amendment 03-02, Dry Cleaning and Laundry Establishments, sponsored by Council President Subin and Councilmember Silverman (Wilson)  
*Action - Resolution to establish public hearing for 3/25/03 at 7:30 pm.*
- (5) 10:50 **REVIEW** - Report of FY03 Budget Savings Plan Review Committee (Farber)
- 11:15 **RECESS** - 12:15 pm - Lunch with Leadership Montgomery - 3rd floor Council Conference Room
- (6) 1:30 **PUBLIC HEARING - Expedited Bill 1-03**, South Germantown Recreational Park - Tennis Center - Lease Amendments (Faden)  
*PHED Committee worksession tentatively scheduled for 2/24/03 at 9:15 am.*
- 1:45 **ADJOURN**
- \*7:00 **PUBLIC HEARING** - FY04 Capital Budget and amendments to FY03-08 Capital Improvements Program, and WSSC's FY04-09 Capital Improvements Program (Orlin)  
\* *This hearing was originally scheduled to begin at 7:30 pm but has been changed to accommodate more speakers.*

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on February 25, 2003:**

Commission on Aging: Austin Heyman; Tien-Chiao Hsieh; Betty Miller; David M. Richman; Susan Spivock Smith; Barbara Glaser; Eugene F. Swanzey

Commission on People with Disabilities: Stephen R. Hage; Richard W. Earp

Community Action Board: Shari Waddy; Stanley Goldberg

Friendship Heights Transportation Management District Advisory Committee: Kyle R. Walton; Charles S. Kines

**The following appointment received from the County Executive is tentatively scheduled for interview on February 25, 2003 and will be scheduled for confirmation at a later date:**

Director, Department of Health and Human Services: Carolyn W. Colvin

**COUNCIL MEETINGS**

**Note: See the IN COMMITTEE for a listing of the Committee meetings currently scheduled.**

Feb. 17, 2003		President's Day - Holiday
Feb. 18-21, 2003		Council Recess
Feb. 24, 2003	12:30 p.m.	State Legislation
Feb. 25, 2003	9:00 a.m.	Regular Session
Feb. 28 - Mar. 4, 2003		NACo Conference
Mar. 3, 2003	12:30 p.m.	State Legislation
Mar. 4, 2003	8:30 a.m.	Biannual Meeting with WSSC
Mar. 4, 2003	9:45 a.m.	Regular Session
Mar. 10, 2003	12:30 p.m.	State Legislation
Mar. 11, 2003	8:30 a.m.	Meeting with Board of Appeals
Mar. 11, 2003	9:45 a.m.	Regular Session
Mar. 17, 2003	12:30 p.m.	State Legislation
Mar. 18, 2003	9:00 a.m.	Regular Session
Mar. 20, 2003	7:30 p.m.	Annual Meeting with Maryland Municipal League
Mar. 24, 2003	12:30 p.m.	State Legislation
Mar. 25, 2003	9:00 a.m.	Regular Session
Mar. 31, 2003	12:30 p.m.	State Legislation

**Public Hearings - To Testify call 240-777-7931**

**February 25, 2003**

1:30 pm	Supplemental Appropriation s to the County Government's FY03 Capital Budget and amendment to FY03-08 Capital Improvements Program, Department of Recreation - \$200,000 for the Long Branch Pool Improvements; Public Arts Trust - \$100,000 for the September 11th Memorial Committee projects
1:30 pm	Special Appropriation to Montgomery College's FY03 Capital Budget and amendment to FY03-08 CIP, \$700,000 for Life Safety Systems (\$500,000 for fire alarm systems and \$200,000 for emergency generator
7:30 pm	Zoning Text Amendment 03-01, Moderately Priced Dwelling Units - Special development requirements

**March 4, 2003**

1:30pm	Resolution to amend County's Energy Policy
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**COUNTY COUNCIL TO ACCEPT APPLICATIONS**  
**FOR BOARD OF INVESTMENT TRUSTEES FOR THE**  
**MONTGOMERY COUNTY EMPLOYEES' RETIREMENT SYSTEM**

**Deadline 5:00 P.M., February 24, 2003**

The County Council is seeking applicants for the position of Council Representative on the Board of Investment Trustees for the Montgomery County Employees' Retirement System. The Board is responsible for overseeing the investment of approximately \$2 billion worth of pension assets for nearly 10,500 active and retired members. The Board sets investment policy, hires investment managers, and monitors investment performance.

The Board, which meets quarterly, consists of nine trustees appointed by the County Executive and confirmed by the County Council. Trustees include: the Director of Human Resources; the Director of the Office of Management and Budget; the Director of Finance; the Council Staff Director, a representative of the County Council; two active members of the retirement system; one retired member of the system; and a member of the public. The first term of County Council representative Mark Alan Barnard expires in March 2003. Mr. Barnard has indicated that he will apply for reappointment.

Trustees serve without compensation from any source for services rendered to the Board. However, the Board will reimburse Trustees for all expenses authorized by the Board. The Board meets at least once every three months for several hours usually on the first Friday of March, June, September and December or as additional meetings or meetings of committees of the Board are required. Members of County boards, committees and commissions may not serve on more than one such group at a time.

The County Ethics Commission has advised the Council that it should not recommend for appointment currently employed investment managers or employees of an investment manager unless there are no other sufficiently qualified candidates. The Council representative will be selected by the County Executive from a list of three to five candidates recommended by the Council. Candidates must complete a financial disclosure statement. Within ten days after confirmation, each Trustee must sign a certificate that states that the Trustee accepts the fiduciary responsibility of the Trust and will administer the affairs of the Trust with care, skill, prudence, and diligence.

Letters expressing interest in the position, including a resume listing professional and civic experience, should be addressed to Council President Michael L. Subin, County Council Office, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland 20850, and must be **received no later than 5:00 p.m., Monday, February 24, 2003**. It is the Council's policy not to consider applications received after the deadline.

**INFORMATION: Justina Ferber, 240-777-7938**



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## **COUNCIL SEEKS APPLICANTS FOR POSITIONS ON MONTGOMERY COUNTY PLANNING BOARD**

**Deadline 5:00 P.M., March 31, 2003**

The Montgomery County Council is seeking applicants to fill vacancies on the Montgomery County Planning Board. The terms of Wendy Collins Perdue (Democrat) and Meredith K. Wellington (Republican) expire on June 14, 2003, and both Ms. Perdue and Ms. Wellington have indicated that they will apply for reappointment.

No more than three members of the Planning Board may be from the same political party, and all members must be residents and registered voters of Montgomery County when appointed. Members serve four-year terms and are limited to two full terms. These positions can be filled by a Democrat (D), Republican (R), or an Independent (I). Current members are: Derick Berlage, Chairman (D), Allison Bryant (R), Wendy Collins Perdue (D), John Robinson (D), and Meredith K. Wellington (R). Annual compensation for Board members is \$25,000.

The Planning Board serves as the Council's principal adviser on land use planning and community planning. Planning Board members also serve as Commissioners of the Maryland-National Capital Park and Planning Commission. Some of the Board's responsibilities with regard to planning are: 1) preparation and amendment of the County General Plan; 2) preparation and amendment of the Master Plans and functional plans; 3) formulation of subdivision regulations; 4) preparation of or recommendations on Text Amendments to the Zoning Ordinance; 5) implementation of the subdivision process by reviewing and approving all preliminary plans, site plans, and other plans for development; 6) advice on the planning implication of capital facilities and programs of the County Government, Montgomery College, Washington Suburban Sanitary Commission, and Montgomery County Public Schools; and 7) approval of the work program and the annual operating budget for the Park and Planning Department and Central Administrative Services.

The Planning Board sits as the Park Commission and approves the annual operating budget and Capital Improvements Program for the County park system, land acquisition contracts and major development contracts for parks, development plans for individual park facilities, policies for park operations, and park user fees. These functions require a meeting at least once each month.

The Montgomery County Planning Board meets all day every Thursday. The entire Maryland-National Capital Park and Planning Commission meets the second Wednesday of every month. Two full days a week are spent in meetings. Additionally, substantial time is required for preparatory work and other activities related to Planning Board responsibilities.

Letters expressing interest in a position, including a resume listing professional and civic experience, should be addressed to Council President Michael L. Subin, County Council Office, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland 20850, and must be **received no later than 5:00 p.m., Monday, March 31, 2003**. It is the Council's policy not to consider applications received after the deadline. After the March 31 closing date, Councilmembers will review the letters of application and select applicants for interviews to be held in June.

The names of all applicants are published and available for public review, and interviews are open to the public. A financial statement of assets, debts, income, and family property interests will be required of all applicants; only the appointed candidate(s) will be required to make the financial statement available to the public.

**INFORMATION: Justina Ferber, 240-777-7938**

**COUNTY TO ACCEPT APPLICATIONS FOR**  
**CHARTER REVIEW COMMISSION**

**DEADLINE 5:00 P.M., MARCH 7, 2003**

The Montgomery County Council and the County Executive is accepting applications for membership on the County's Charter Review Commission.

The County Charter was amended in 1976 to provide that a Charter Review Commission shall be appointed by the County Council every four years to study the Charter. The Commission researches and evaluates Charter issues raised by the County Executive, County Council, other government officials, and the public. Commission reports are submitted no later than May 1 of every even-numbered year. These reports contain recommendations concerning any proposed Charter amendments.

The Commission is composed of eleven residents of the County, five of whom are appointed from a list of names submitted by the County Executive. No more than six members can be from the same political party. The chair is designated by the Council and the vice chair is designated by the County Executive.

Applicants should submit letters of interest, including resumes relating professional and civic experience, to the Montgomery County Council Office, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland 20850, **by 5:00 p.m., Friday, March 7, 2003.**

**Contact: Justina Ferber, 240-777-7938 or Debbie Goodwin, 240-777-2510**